

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VALERIE WATSON-SMITH and
all others similarly situated,

Plaintiffs,

v.

SPHERION ATLANTIC
ENTERPRISES,

Defendant.

No. C 07-5774 JSW (WDB)

ORDER FOLLOWING APRIL 1,
2008, TELEPHONIC HEARING
REGARDING DEPOSITIONS
NOTICED BY PLAINTIFF UNDER
FEDERAL RULE OF CIVIL
PROCEDURE 30(b)(6)

On April 1, 2008, the Court heard oral argument in connection with a letter brief filed jointly by counsel for Plaintiff and Defendant about depositions noticed by Plaintiff under Federal Rule of Civil Procedure ("FRCP") 30(b)(6). Having considered the jointly filed letter brief and the arguments of the parties, the Court ruled from the bench and Ordered that Defendant must produce a witness or witnesses who are competent to testify about the following:

(1) Spherion's policies and practices for granting meal breaks, or compensating for missed meal breaks, for its hourly, non-exempt employees in California from September 2003 through the present;

1 (2) Spherion's policies and practices for record keeping about meal breaks,
2 or compensating for missed meals, for its hourly, non-exempt employees in California
3 from September 2003 to the present;

4 (3) Spherion's policies and practices for reimbursement for travel expenses
5 incurred by California employees for travel required by their employment from
6 September 2003 through the present;

7 (4) Whether, and under what circumstances, employers to whom Spherion
8 sends employees are required or expected to follow Spherion's policies and practices
9 for hourly, non-exempt California employees about:

10 (a) granting meal breaks or compensating for missed meals, and

11 (b) record keeping about meal breaks and compensation for missed meals;

12 (5) Whether, and under what circumstances, employers to whom Spherion
13 sends employees are required or expected to follow Spherion's policies and practices
14 for employees about reimbursement for travel expenses incurred by California
15 employees for travel required by their employment.

16 (6) If some of the employers to whom Spherion sends employees are required
17 or expected to follow Spherion's policies and practices with regard to these matters
18 and some are not, the Rule 30(b)(6) witness(es) that Spherion produces must disclose:

19 (a) the number of employers in each of these two categories since
20 September of 2003 (i.e., the number who have been required or expected to follow
21 Spherion's policies in these areas and the number who have not), and

22 (b) the approximate number of employees Spherion has sent to the
23 employers in each category since September of 2003.

24 IT IS SO ORDERED

25 Dated: April 2, 2008

26 
27 WAYNE D. BRAZIL
28 United States Magistrate Judge